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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MICHAEL FALLINE on behalf of himself
and all others similarly situated,

Plaintiff

v.

CORECIVIC OF TENNESSEE, LLC; and
DOES 1-50,

Defendant

Case No.: 2:21-cv-01802-CDS-BNW

**STIPULATION TO EXTEND
STAY PENDING FURTHER
SETTLEMENT DISCUSSIONS AND
ORDER THEREON**

THIRD AND FINAL REQUEST

ANTHONY TURNER on behalf of himself
and all others similarly situated,

Plaintiff

v.

CORECIVIC OF TENNESSEE, LLC; and
DOES 1-50,

Defendant

The Parties in this case, Plaintiff MICHAEL FALLINE (“Plaintiff Falline”) by and through his counsel of record, HODGES & FOTY LLP, THE LAZZARO LAW FIRM, LLC, and NILGESDRAHER LLC, along with Plaintiff ANTHONY TURNER (“Plaintiff Turner”) by and through his counsel of record, THIERMAN BUCK, LLP, and Defendant CORECIVIC OF TENNESSEE, LLC (“CoreCivic”), by and through their counsel of record, LITTLER MENDELSON, P.C., hereby submit a Joint Status Report pursuant to ECF No. 38.¹

¹ The Court had previously granted the Parties’ request to Stay the case pending mediation and ongoing settlement discussions. *See* ECF No. 30 (appears in docket of related consolidated Case No. 2:22-cv-00775-CDS-NJK) and ECF No. 38 of the consolidated cases, in the above captioned case and case number.

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1 The purpose of the Stay is to promote judicial economy and allow this court to
 2 more effectively control the disposition of the cases on its docket with economy of time and
 3 effort for itself, for counsel, and the litigants. *See Landis v. N. Am. Co.*, 299 U.S. 248, 254
 4 (1936) (“[T]he power to stay proceedings is incidental to the power inherent in every
 5 court to control the disposition of the causes on its docket with economy of time and effort for
 6 itself, for counsel, and for litigants.”); *Pate v. DePay Orthopedics, Inc.*, 2012 WL 3532780, at
 7 * 2 (D. Nev. Aug. 14, 2012) (“A trial court may, with propriety, find it is efficient for its
 8 own docket and the fairest course for the parties to enter a stay of an action before it,
 9 pending resolution of independent proceedings which bear upon the case.”), *citing Leyva v.*
 10 *Certified Grocers of Cal., Ltd.*, 593 F.2d 857, 863 (9th Cir. 1979).

11 The Parties originally participated in mediation on October 11, 2022, with Mediator
 12 Carole Katz in an attempt to resolve all claims in this action. At the conclusion of the mediation
 13 session on October 11, 2022, the Parties agreed to keep the mediation open and continue
 14 engaging in meaningful dialogue and to continue to explore the possibility of early
 15 resolution through negotiation communications through the Holidays and into the New Year.
 16 The Parties remain engaged in settlement negotiations but require additional time to fully
 17 explore potential resolution. Accordingly, the Parties respectfully request an additional
 18 thirty (30) calendar days to continue to explore potential resolution ("Stay period"). Thus, upon
 19 the expiration of this final Stay period:

20 1) Should the Parties reach a settlement, the Parties shall file their motion for
 21 approval of the settlement by no later than the date of expiration of the stay.

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2) Should the Parties be unsuccessful at resolving all claims, the Parties shall set forth an updated proposed discovery plan and scheduling order.

Dated this 8th day of February 2023

Dated this 8th day of February 2023

THIERMAN BUCK, LLP

LITTLER MENDELSON, P.C.

/s/ Leah L. Jones

/s/ Christian A. Angotti

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ORDER

IT IS HEREBY ORDERED that the Parties' Stipulation and Order to extend the Stay for thirty (30) calendar days in the above captioned matter is **granted**.

IT IS FURTHER ORDERED that the Parties will submit a Joint Status Report no later than thirty (30) calendar days from the entry of this Order to inform the Court if the Parties have come to an early resolution.

1) Should the Parties reach a settlement, the Parties shall file their motion for approval of the settlement by no later than the date of expiration of the Stay.

2) Should the Parties be unsuccessful at resolving all claims, the Parties shall set forth an updated proposed discovery plan and scheduling order.

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

Dated: February 9, 2023